

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RAPHAEL DWIGHT HUNDLEY,	)	
Plaintiff	)	
	)	
vs.	)	Civil Action No. 07-848
	)	Judge Donetta W. Ambrose/
DONALD E. ZIEGLER; ESQ.	)	Magistrate Judge Amy Reynolds Hay
JACQUELINE R. MORROW; MAYOR OF	)	
CITY OF PITTSBURGH; CHIEF OF	)	
POLICE FOR THE CITY OF	)	
PITTSBURGH; CITY OF PITTSBURGH	)	
POLICE DEPARTMENT; THE CITY OF	)	
PITTSBURGH MUNICIPALITY,	)	
Defendants	)	

**ORDER**

AND NOW, this 16<sup>th</sup> day of Aug., 2007, after the plaintiff,

Raphael Dwight Hundley, filed an action in the above-captioned case, and after a Report and Recommendation<sup>1</sup> was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and objections having been filed by the plaintiff which are without merit, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that, pursuant to the screening provisions of the Prison Litigation Reform Act, the Complaint is DISMISSED for failure to state a claim upon

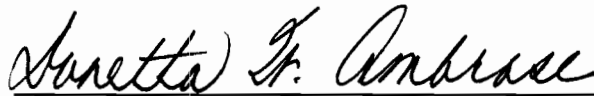
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<sup>1</sup> It appears that the Report and Recommendation filed at Dkt. [8] omitted the second page of the Report, which primarily sets forth the procedural history of the case. Attached to the instant Order is a corrected Report and Recommendation, which now includes said page.

which relief can be granted.

IT IS FURTHER ORDERED that final judgment of this Court is entered pursuant to Rule 58 of the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the parties desire to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

  
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DONETTA W. AMBROSE  
Chief United States District Judge

cc: Honorable Amy Reynolds Hay  
United States Magistrate Judge

Raphael Dwight Hundley  
22822-053  
USP Canaan  
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